

The Law Firm of  
**WAGNER & WAGNER, LLP**

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March 20, 2020

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**Via ECF**

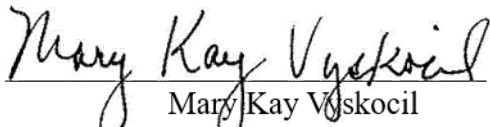
Hon. US District Judge Mary Kay Vyskocil  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Courtroom 18C  
New York, NY 10007

Re: Rizzica v. 213-85 Corp.  
Docket #: 18-cv-08003-MKV-SLC

Dear Judge Vyskocil:

**GRANTED. The Parties Pretrial Order must be submitted on or before May 26, 2020. SO ORDERED.**

Date: 3/20/2020  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge

Our office represents the Plaintiff in the above matter.

We are writing to respectfully request an extension of time to file our Joint Pretrial Order. The current deadline for the submission of same is March 27, 2020 as set by your Order dated February 25, 2020.

Despite the best efforts of defense counsel and myself, to date, we have not been able to fully complete the Pretrial Order. In addition, given the current conditions brought about by the coronavirus pandemic, I am having extreme difficulty obtaining certain evidence which is to be submitted together with the Order (e.g., MRI films, certified medical billing).

Although your Order states that there will be no further extensions of the deadline, we respectfully request a sixty (60) day extension. The extension is being sought for the following exigent circumstances which currently exist.

1. Our firm is a small practice. My sister and law partner, Judy Wagner, Esq., and I are the only attorneys in our office. Our 102 year-old maternal grandmother passed away on March 6, 2020. Prior to her passing, she was confined to a nursing home for a couple months. Judy and I played an active role in coordinating her care and in making her final arrangement. That situation created some backlog in our practice.
2. Our office is presently without staff due social distancing mandates by government brought about by the current coronavirus pandemic. As you are undoubtedly aware, it is very uncertain when things will return to "normal."

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3. The preparation of the Pretrial Order is my primarily responsibility in the firm. I am the residential custodial parent of my three children, ages 12, 15 and 18. My oldest son is a student at St. John's University. As St. John's has shut down for the Spring semester, he is studying at home for rest of the semester. My two younger children are students in the NYC school system. They too, will be doing all their schoolwork from home for the foreseeable future. Regrettably, I am not currently equipped with adequate technology which would enable me to work from home.
4. It is not likely that the extension would cause a delay in the commencement of the trial as it is my understanding that until further order, no new civil trials are being commenced in the Southern District.

I have conferred with defense counsel, Rhonda D. Thompson, Esq., by e-mail. She consents to the relief sought herein.

For the reasons stated above, and given the uncertain nature of the above concerns, it is respectfully requested that the deadline for the submission of the Joint Pretrial Order, and ancillary documents, be extended for thirty (60) days to, and including, Tuesday, May 26, 2020.

The courtesy and understanding of the Court is greatly appreciated.

Respectfully yours,

*/s/ Edward Wagner*

EDWARD WAGNER, ESQ.  
EW:s

cc: Law Office of Kevin J. Philbin Att: Rhonda D. Thompson, Esq. via ECF